

Hazardous Waste Regulation Revisions

Presentation to:

Environmental Quality Commission

May 28, 2008

Department for Environmental Protection
Environmental & Public Protection Cabinet



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Hazardous Waste Regulations

Changes were made to the following 12 regulations:

401 KAR 32:010

401 KAR 32:050

401 KAR 34:005

401 KAR 34:080

401 KAR 35:005

401 KAR 35:080

401 KAR 36:030

401 KAR 37:005

401 KAR 37:040

401 KAR 38:005

401 KAR 38:040

401 KAR 43:005



401 KAR 32:010 General Provisions for Generators

- ☐ Change in the form which is incorporated by reference.
- ☐ Added lines for information regarding legal ownership and land ownership.
- ☐ Necessary to be consistent with the federal regulations.



401 KAR 32:050 Special Conditions

- ☐ Addition of five new terms.
 - ☐ Consignee
 - ☐ EPA Acknowledgement of Consent
 - ☐ Primary exporter
 - ☐ Receiving country
 - ☐ Transit country
- ☐ Applicability of the first section was clarified.



401 KAR 34:005 Definitions for 401 KAR Chapter 34

- ☐ Addition of six new terms.
 - ☐ Displacement
 - ☐ Face amount
 - ☐ Fault
 - ☐ Holocene
 - ☐ Substantial business relationship
 - ☐ Washout
- ☐ Identical to federal definitions.



401 KAR 34:080 General Financial Requirements

- ☐ Added an exception in the applicability section.
- ☐ Allows the Cabinet to approve alternative financial requirements if there is adequate protection of human health and the environment.



401 KAR 35:005 Definitions for 401 KAR Chapter 35

- ☐ Addition of three definitions
 - ☐ Face amount
 - ☐ Substantial business relationship
 - ☐ The full amount of liability coverage to be provided
- ☐ Definitions are consistent with the federal regulations.



401 KAR 35:080 General Financial Requirements (IS)

- ☐ Added an exception in the applicability section.
- ☐ Allows the Cabinet to approve alternative financial requirements if there is adequate protection of human health and the environment.



401 KAR 36:030 Recyclable Materials Used in a Manner Constituting Disposal

- ❑ Correction of a typo in Section 4.



401 KAR 37:005 Definitions for 401 KAR Chapter 37

- ☐ Addition of eight definitions
 - ☐ Debris
 - ☐ Halogenated organic compounds
 - ☐ Inorganic metal bearing waste
 - ☐ LDR
 - ☐ Non-wastewaters
 - ☐ Polychlorinated biphenyls (PCBs)
 - ☐ Soil
 - ☐ Underlying hazardous constituents
- ☐ Definitions are consistent with the federal regulations.



401 KAR 37:040 Treatment Standards

☐ Correction to a reference in Section 1.



401 KAR 38:005 Definitions for 401 KAR Chapter 38

- ☐ Addition of sixteen definitions.
 - ☐ CWA
 - ☐ Draft permit
 - ☐ Emergency permit
 - ☐ Facility or activity
 - ☐ Facility mailing list
 - ☐ Functionally equivalent component
 - ☐ Hazardous waste management facility (HWM facility)
 - ☐ Major facility
 - ☐ Off-site
 - ☐ Permit
 - ☐ Physical construction
 - ☐ Remedial action plan
 - ☐ Schedule of compliance
 - ☐ SDWA
 - ☐ Site
 - ☐ State/EPA agreement



401 KAR 38:040 Changes to Permits; Expiration of Permits

❑ Clarification of the Appendix in Section 1.



401 KAR 43:005 Definitions for 401 KAR Chapter 43

- ☐ Addition of four definitions
 - ☐ FIFRA
 - ☐ Large quantity handler of universal waste
 - ☐ Small quantity handler of universal waste
 - ☐ Universal waste transfer facility
- ☐ Definitions are consistent with the federal regulations.



Process

- ☐ Public comment period – May 1st – June 2nd
- ☐ Public hearing – May 23rd
- ☐ ARRS Meeting – June 10th
- ☐ Ag/Nat IJC Meeting – July 9th



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